

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

C 08 0045

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

RMW (PR)

Plaintiff,

vs.

Defendant.

I, Derran Smiley, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes _____ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: N/A Net: N/A

Employer: N/A

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 N/A none
 5 _____
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ____ No ☒
 10 self employment
 11 b. Income from stocks, bonds, Yes ____ No ☒
 12 or royalties?
 13 c. Rent payments? Yes ____ No ☒
 14 d. Pensions, annuities, or Yes ____ No ☒
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ____ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 N/A
 22 _____

23 3. Are you married? Yes ____ No ☒

24 Spouse's Full Name: N/A

25 Spouse's Place of Employment: N/A

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ N/A Net \$ N/A

28 4. a. List amount you contribute to your spouse's support: \$ N/A

b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

None

5. Do you own or are you buying a home? Yes ___ No ☒

Estimated Market Value: \$ None Amount of Mortgage: \$ None

6. Do you own an automobile? Yes ___ No ☒

Make Na Year N/A Model N/A

Is it financed? Yes ___ No ☒ If so, Total due: \$ None

Monthly Payment: \$ None

7. Do you have a bank account? Yes ___ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ None

Do you own any cash? Yes ___ No ☒ Amount: \$ None

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No ☒

8. What are your monthly expenses?

Rent: \$ None Utilities: None

Food: \$ None Clothing: None

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
	\$	\$
	\$	\$

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

Restitution and [REDACTED] amount is (\$ 1,945.00 and beginning balance \$ 2,000.00.

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ☒ No ☐

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

People V. Smiley A.113874 Court of Appeal

People V. Smiley S.157454 Supreme Court of California

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

1/24/08

DATE

Quana Smiley

SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of _____ for the last six months at
[prisoner name]

_____ where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$_____ and the average balance in the prisoner's account each month for the most recent 6-month period was \$_____.

Dated: _____

Authorized officer of the institution

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